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ONE HUNDRED TENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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May 24, 2007

The Honorable Lurita A. Doan  
Administrator  
U.S. General Services Administration  
1800 F Street, NW  
Washington, DC 20405

Dear Madam Administrator:

I am writing to invite you to testify before the Oversight Committee on **Thursday, June 7, 2007, at 10:00 a.m. in Room 2154, Rayburn House Office Building**. At this hearing, the Committee will examine your statements to the U.S. Office of Special Counsel about agency political appointees who cooperated in the Committee's investigation into allegations of misconduct at the General Services Administration. According to press accounts and a copy of the OSC report obtained by the Committee, you have accused these officials of being biased and poor performers.

The *Washington Post* reported today that you made statements under oath to OSC that GSA political appointees who gave testimony to investigators were biased.<sup>1</sup> The OSC report itself quotes your description of these GSA political appointee witnesses as follows:

[T]here's not a single one of those who did not have somewhere in between a poor to totally inferior performance ... [S]ome of the most vocal proponents or the most articulate speaking out against me are also the people who are people I've either moved on or they are, I don't want to say permanently demoted but they're kind of, until extensive rehabilitation of their performance occurs, they will not be getting promoted and they will not be getting bonuses or special awards or anything of that nature.<sup>2</sup>

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<sup>1</sup> *GSA Chief Violated Hatch Act, Special Counsel's Report Alleges*, Washington Post (May 24, 2007).

<sup>2</sup> *OSC, Report of Prohibited Political Activity Under the Hatch Act* at 10 (May 18, 2007) (File No. HA-07-1160).

After receiving your testimony, OSC investigators reviewed copies of all of the witnesses' most recent performance reviews and any adverse actions proposed or taken against them since your tenure as Administrator began. Notably, the OSC concluded that your account was "unsupported and contradicted by the documentary evidence" and "appears to have been purposefully misleading and false."<sup>3</sup> With respect to one employee, whom you singled out as "totally inferior" and a "failure," the OSC found only favorable performance evaluations and no evidence that you had ever proposed or initiated adverse employment action for this alleged failure. In sum, the OSC found "not credible" your implications that adverse witnesses were biased against you.<sup>4</sup>

Your allegations against the GSA officials were a point of concern for the Office of Special Counsel. The OSC report states:

Finally, it is troubling that Administrator Doan made the above unsubstantiated allegations during an official investigation of *her* actions. It arguably indicates a willingness on her part not only to use her position in a way that is threatening to anyone who would come forward, but also ... suggests a willingness to retaliate against anyone who would be so "disloyal" as to tell the truth about a matter she confesses she does not remember.<sup>5</sup>

Your allegations are also a matter of grave concern to me. Government employees who cooperate with congressional and federal investigations perform a vital service to the nation. It would be a serious abuse if your statements were part of an effort to retaliate against these witnesses for cooperating with the Oversight Committee's investigation.

Over the past five months, it's become clear that the Justice Department falsely raised issues about the competence of the eight U.S. Attorneys who were dismissed last December. That tactic has been condemned across our country and by both Republicans and Democrats in Congress. It would be remarkable if you adopted that same tactic in trying to discredit GSA employees who cooperated with the House Oversight and Government Reform Committee and the Office of Special Counsel.

In addition to being prepared to answer questions about your allegations involving the GSA officials, you may also be asked other questions at the hearing related to the veracity of your statements to the OSC and this Committee.

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<sup>3</sup> *Id.* at 11.

<sup>4</sup> *Id.* at 12.

<sup>5</sup> *Id.* at 12.

The Honorable Lurita A. Doan  
May 24, 2007  
Page 3

I understand that your response to the OSC report is due by June 1. The Committee's hearing will occur after this date, giving you a chance to respond to the OSC before appearing before the Committee.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. Information for witnesses appearing before the Committee is contained in the enclosed Witness Information Sheet.

If you have any questions, please contact David Rapallo or David Leviss of the Committee staff at (202) 225-5420. We look forward to your testimony.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive, flowing style.

Henry A. Waxman  
Chairman

Enclosure

cc: Tom Davis  
Ranking Minority Member

HENRY A. WAXMAN, CALIFORNIA  
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#### Witness Information Sheet

The following is a summary of some of the pertinent rules and procedures applicable to witnesses testifying before the Committee on Oversight and Government Reform:

- Witnesses should provide 100 copies of their written testimony to Earley Green, Chief Clerk, 2157 Rayburn House Office Building, no later than 10:00 a.m. two business days prior to the hearing. Witnesses should also provide their statement by this date in electronic format, either as a CD or via email to [earley.green@mail.house.gov](mailto:earley.green@mail.house.gov).
- At the hearing, each witness will be asked to summarize his or her written testimony in five minutes or less in order to maximize the time available for discussion and questions.
- House Rule XI clause 2(g)(4) requires that witnesses appearing in a nongovernmental capacity submit to the Committee in advance of the hearing "a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness."
- The Committee does not provide financial reimbursement for witness travel or accommodations. Witnesses with extenuating circumstances, however, may submit a written request for such reimbursements to Robin Butler, Financial Administrator, 2157 Rayburn House Office Building, at least one week prior to the hearing. Reimbursements will not be made without prior approval.
- Witnesses with disabilities should contact Committee staff to arrange any necessary accommodations.
- The Committee on Oversight and Government Reform is the principal oversight committee in the U.S. House of Representatives. In addition, the Committee has legislative jurisdiction over a number of subjects affecting the management of government operations and activities. The specific jurisdiction of the Committee is set forth in House Rule X clauses 1(m), 2, 3(i), and 4(c).
- The Committee rules governing this hearing are online at [www.oversight.house.gov/rules/](http://www.oversight.house.gov/rules/).

For inquiries regarding these rules and procedures, please contact the Committee on Oversight and Government Reform at (202) 225-5051.